

## EXAMINING PRAXIS ACTIONS OF WOMEN'S EQUALITY IN ISLAM (Between Conservatism and Liberalism)

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**Abstrak:** *Salah satu main goal kehadiran Islam adalah mewujudkan egaliter (musawab/kesetaraan). Tidak ada dan tidak boleh ada diskriminasi. Termasuk dalam hal gender. Namun, idealita normatifitas itu pada kenyataan historis mengalami distorsi. Gerakan kesetaraan gender yang terbelah kepada konservatif dan liberal menunjukkan bukti tentang split normatif dalam historis itu. Tulisan ini berupaya menunjukkan anomali itu dan berupaya untuk rethinking ke arah propetisasi gerakan kesetaraan gender.*

**Kata Kunci:** Islam, Women's Equality Movement, Conservatism, Liberalism

### A. Introduction

Normatively, Islam regards and puts men and women in equality, as mentioned in many verses of the Qur'an.<sup>1</sup> It means that Islam does not teach discrimination. If there is discrimination, then it is deemed to be against Islam. Non-discrimination should apply in all areas, both in the domestic and public areas. History records that the presence of Prophet Muhammad PBUH was among others to raise the dignity of women who had been subordinated at that time.

However, the ideals of normative Islam have in fact experienced an anomaly in the course of history. In public areas (read: politics for example), almost no records were found regarding the involvement of women in the kingdom, let alone becoming a king. The public sector was dominated by men. In fact, many interpretations of the Qur'an were also biased in favor of men. This situation continued until the end of medieval Islam.

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<sup>1</sup> Surah Al-Hujurat (49): 13.

As Islam entered the modern age,<sup>2</sup> the movements to equalize male and female grew stronger. Gender equality movements commonly called feminism emerged almost in all Muslim countries. The result was that the history has witnessed some names of women who could occupy the position formerly of men's privilege like Benazir Bhuto. Equality was loudly echoed by many women's movements.

Gender equality movements have been identified into two opposite groups, i.e. the conservative<sup>3</sup> and liberal movement<sup>4</sup>. Each has its own truth claims and negates the other. Why could that happen? What are the underlying factors behind it? How are they different? Which is more legitimate? Those questions need to be answered through this paper.

## **B. Phenomena of Amina Wadud and Hatum Serucu**

Two interesting phenomena happened almost simultaneously in the West (America and Europe), although one of them was very sad.

Hatum Harucu, a Turkish woman born in Germany was shot dead by her family in Berlin in the name of protecting the name of the family or practicing the so-called "honor killing." She was the 6<sup>th</sup> victim of the 200,000 Turkish population in Germany. Harucu, 23 years old, had undergone an arranged marriage with his cousin 6 years earlier and had a son. Efforts to maintain their marriage had failed and eventually she ran

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<sup>2</sup> Modern era is often called reformist era. Conceptually, this era uses jargon *tajdid*, which acts as purification and as the reason of rationalization of thoughts (Islamic intellectualism).

<sup>3</sup> Conservative characteristics include (1) rejecting Western secularism that separates religion from politics, church and state; (2) demanding the people to be governed by Syari'ah law (Islamic law); (3) ascribing to the golden age and holding medieval scholars thought without any significant change, in response to the contemporary social problems; (4) the doors for *ijtihad* are closed.

Conservative, according to Hodgson, has three main characteristics: first, to maintain or preserve the cultural past that existed (does not not open new horizons or mythology), and second, to concern with stability or social order (do not allow freedom of expression or no *ijtihad*), third, to make the golden era of the past as a model (an ideal example in all things), and innovation is viewed as heresy or apostasy. See Hodgson, *The Venture of Islam*, Volume I, p. 383-409. See also Henri Corbin, *Creative Imagination in the Sufism of Ibn Arabi* (London: W. Trask, 1970), p. 10-29. and 78-79.

<sup>4</sup> Liberal movements tend to (1) propagate secularization; (2) sue the existence of Syari'ah; (3) deconstructing Usmaniy Manuscripts; (4) equate religious truth in esoteric level, (5) and try to carry out the revolutionary interpretation, in line with the dynamics of the times regardless the principles and the *furū'*.

away with her son. Later she was found dead with gunshot barrage at her head and face. The police got evidence that she was murdered in the name of the tradition. The reaction to this incident was very remarkable since it could unite and bring together various groups and streams in the Muslim women's movement and made an agenda for action to stop the barbaric acts in the name of religion.

In the United States, Amina Wadud, an assistant professor of Islamic studies at the Department of Philosophy and Islamic Studies in Virginia Commonwealth University lead the sermons in a Friday prayer (as *imam* and *khatib*) where the congregations (*jamaah*) were both men and women. Amina argued that there is no ban on women to be priests (imam/leader). Besides, she and her sponsor *Muslim Wake Up* and *Muslim Women's Freedom Tour* would like to go further. The issue of women's liberation in Islam should have gone beyond the level of discourse to praxis, and implementation of the Friday prayer is a real action.

Of the two phenomena, the trend on the issue of women in Islam has begun to move from the level of discourse and theory into the practical level. Harucu tragedy has initiated the women to act beyond ideologies and primordial egoism, while the actions of Amina Wadud, known as the "Historic Jum'a", is an insight at the action level that will continue with a similar action on the following Friday by presenting another Muslimah activist, Asra Q. Nomani. This Indian-American woman writes a book *An Islamic Bill of Rights for Women in the Bedroom*. Through this book, she advocates "extramarital sexual intercourse, adultery, fornication (sex without marriage), pleasurable sexual experience, adultery and abortion" for all Muslims and all non-Muslim women of the world.

### C. Conservatism vis a vis Praxis Action (Liberalism)

It cannot be denied that religious conservatism especially in Islam is happening everywhere in the world. Apart from any of the causes, the most obvious impact of perceived conservatism goes to women. In some European countries, there are debates and even tension on the issue of hijab, forced marriage or restrictions on movement of women in the public sphere by the family. Countries are forced to submit to religious beliefs and rules, which are often very conservative, by the Muslim community in the name of human rights and democracy although the results are often violating the rights of women.

This conservatism trends hit Muslim populated countries which are well-known to be quite moderate, such as Indonesia and Malaysia. Coercive religious persuasion like forcing women to wear veils,

prohibiting women to be leaders or to work, sporadically emerged as an issue in Indonesia and Malaysia.

Although the fatwa was issued by legitimate institutions such as MUI (Indonesian Council of Ulama), but the adverse effects on the restriction of women in Indonesia was not too worrying as that in other countries. Indonesian culture that puts women in a position that is culturally better than that of their sisters in other Muslim countries should be regarded as a gift. However, the strong tendency of global conservatism, the emergence of Islamic militant groups that are waging a systematic campaign and action of restricting the women movement in the name of religion in Indonesia especially in big cities, media campaigns and the politization of religion against women, could logically give bad effects on Indonesian Muslim women.

However, the reality is that the conservatism in Indonesia is not able to limit the space for Muslim women or women in general. It is definitely and confidently acclaimed as a result of many years of investment by Muslim women activists who work together to resolve these issues.

This began with a program in strengthening women's political rights through the tenure on women's bodies and sexuality by developing *Fiqh an-Nisa* program (Islamic Laws on Women) of P3M (of UIN Jakarta) in 1997. This program is very fundamental because P3M does not only work through and just take advantage of *pesantrens* but rather works directly with the Islamic tradition of *pesantren* as religious scholars institutions and *kitab* (reference books) regarding the relationship of men and women. Experiments of *Fiqh an-Nisa* by P3M also directly correct the liberal feminist approach that did not take religion as a factor of gender construction into account at the time.

The efforts of gender construction demolition undertaken by feminists using feminist approach and human rights generate many positive things, among them are:

1. Efforts made by Fiqh al-Nisa P3M begins with: developing a text comprehension using a methodology that is recognized in Islamic boarding house, fiqh (legal jurisprudence theory). This effort has triggered the excavation of methodology which was developed as an alternative and correction upon methodologies that had already been developed by Indonesian Muslim feminists. The theory was adopted from the Muslim feminist theories from other Islamic countries such as Pakistan.
2. The emergence of the three-level jobs acceleration at the same time. Level discourse works with clerics and text disassembling. Level

Islamic civil organizations. And the grass-roots level, such groups *ta'lim* where the new vision is socialized.

3. Develop a synergy with universities to study and produce policy that could affect policy of the state.
4. Inclusiveness issues, that gender is not just women's issues but issues of justice and democracy. Ignoring the issue of women is ignoring the values of justice struggled by Islam.

This strategy was later adopted and developed by other institutions with more specific themes. Such as Fatayat that developed LKP2 program in 26 provinces. On her personal hard work, Maria Ulfah had spawned a book that can give the woman a possibility to have an abortion by still getting support from religious side. Rahima undertook an effort to bring a critical awareness of the politicization impact of Islamic law against women, Puan opened consulting services and women crisis centers in schools, PSW put gender as a mainstream to religious preachers and Fahmina combined democracy and gender issues in their training for the religious scholars and secular women activists.

Efforts to involve religious scholars, especially young clerics/ustads is still progressing to foster critical awareness of their own based on references they master. This is a surefire strategy that causes gender issues and Islam earn its place contextually in the development of Islam in Indonesia.

Discourse on gender and Islam which is spread evenly and systematically is most noticeable impact to stem the conservatism in Indonesia. It is an achievement coming from investments that can hardly be pursued by any Muslim populated countries in the World.

### **Some of Praxis Action in Indonesia**

1. Campaign against polygamy undertaken by Islam women's networks in NU congress in Solo. This campaign received very wide publicity and successfully raised the issue of women and Islam which was hardly discussed at the conference.
2. Anti-trafficking campaign developed through human rights and gender approach that uses a religious perspective has been developed in Cirebon. This model gives a very big contribution in combating trafficking as well as a correction of the approach that has been done partially, rigidly separating the program into prevention programs, prosecution, and rehabilitation.

This integrative model is supposed to be developed only because Islam and gender network investment develops better. These networks bring

together the elements of schools, universities, media and elements of movement / advocacy. Another note is the availability of ustad/ustadah who have had a gender knowledge and perspective, and critical awareness in favor of the women as victims.

#### **D. Women's Movement in Propetic Measurement**

Prophetic diction is one important idea of Kuntowijoyo. For him, science should not be complacent in trying to explain or understand the reality and then forgive it for granted but more than that. Studies also have task to transform and create the ideals of an idealized society. Kunto formulated three basic values as prophetic foundations, namely: *humanization, liberation, and transcendence*, which he extracted from the word of God in the letter of Ali Imran, verse 110.

Kunto philosophical framework is a response to positivism. For Auguste Comte, the creator of the term "sociology", said sociology is the culmination of the development of positivism. No wonder then if the science is evolving in a very positivistic style. Comte actually was not directing sociology to a positivistic, he only voiced trend of the times. In his time, positivism is A measuring tool whether the science is valid or not. Natural sciences became a model for the orientation of the science of community, which was before Comte, called "social physics", or natural science of society. Social processes are no longer regarded as a product of human activities that are free, but as a natural event.<sup>5</sup>

There are at least three suppositions in the positivist social sciences. First, the methodological procedures of natural sciences can be directly applied in the social sciences. Second, research results can be formulated in the form of laws as in the natural sciences. Third, the social sciences have to be technical, which provides knowledge that is purely instrumental, neutral and value-free.<sup>6</sup>

The three basics positivism were later proved fragile. Social phenomenon is not the same as a natural phenomenon, so that the use of natural science methods to examine social phenomena is misguided. Theories created are also not universal as positivist claims, but is closely related to the local and temporal dimensions in which the theory emerged. Similarly, in fact, social science was not ever able to escape the bias

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<sup>5</sup> L. Laeyendecker, *Order, Change and Inequality: An Introduction to the History of Sociology*, (Order, Verandering, Ogelijkheid: Een Inleiding in De Geschiedenis van de Sociologie), Sumekto translation, New York: Scholastic, 1983, p. 137.

<sup>6</sup> Anthony Giddens (Ed.), *Positivism and Sociology*, London: Heinemann, 1975, p. 3-

towards certain values. The value-free claims are no more than intellectual hypocrisy. These are claims that are said by most of social scientists, both Western and Eastern, against positivism.

Claims of value-free cause social science has only sought to explain reality (erklären) as it is without partiality, or understand reality (verstehen) and then let it be. Social theories merely want to copy the facts of the present. That way, the social sciences secretly preserve the present, so that, under the guise of an impartial, neutral, value-free theories blockade the possibilities of future changes. Hence, the theory that claims itself as value free essentially is also sided, i.e. pro-establishment.<sup>7</sup>

One of fierce resistance to the logic of positivism came from critical theorists. Critical theory is about to criticize the actual circumstances with the goal-oriented. Therefore, in the critical theory, the charge contains utopia that makes the thoughts contained therein are not neutral.

In the same spirit (which brings certain critical mission), Kuntowijoyo suggested the idea of Prophetic Social Sciences. Prophetic Social science does not only reject the value-free claims in positivism but also requires social science to consciously have value as an objective footing. Prophetic Social science does not just stop with the attempt to explain and understand the reality of what it is but it's more than that, it's transforming the ideals that is desired by community. Prophetic Social Sciences then formulate three important values as well as foothold elements that will shape the its paradigm character. They are humanization, liberation and transcendence.

#### **a. Humanization**

In a prophetic framework, humanization means humanize humans; omit the "material", dependency, violence and hatred of humans. Humanization is appropriate for the spirit of Western liberalism. It only needs to be added that if Western civilization was born based on anthropocentric humanism, Kuntowijoyo concept of humanism rooted to theocentric humanism. Therefore, humanization cannot be fully understood without understanding the concept of transcendence (God) which is basically (already created it).

Western humanism born of rebellion against dogmatic authority of the Church in the Middle Ages. Anthropocentric view assumes that life is not centered on God but on man. Ethos is to appreciate the spirit of the values that is built by the man himself. Anthropocentric civilization

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<sup>7</sup> F. Budi Hardiman, *Ideology Criticism, Interests, and Knowledge Linkage*, cet. 2, London: Canisius, 1990, p. 58.

made man as a measure of truth and falsehood; humans as a criterion of beauty, and to provide important value in the life that promises human power and pleasure. Anthropocentrism considers man as the center of the world, therefore he feels satisfied by himself. Anthropocentric human feel to be the ruler for himself. Not only of himself, he went further, he wants to be the ruler of others. Universe then becomes the subject for him to reign because of lust uncontrollably increasing.

With the ratio as a weapon, anthropocentric humans start the history of power and exploitation of nature without limits. Modernism and rationalism pennants proved to cause untold damage to nature and human nature. Sense science is the science of war and tactics of the method that has been written very smartly by Descartes through the motto "Cogito Ergo Sum".

Through the science of war by Descartes, modern civilization creates the machines of war against nature in the form of advanced technology to conquer and exploit nature without limits. It also creates the machines of war against the human in the form of supermodern sophisticated weapons, bombs, and even weapons of mass destruction. So, instead of being successfully performed, anthropocentric humanism is the process of dehumanization.

Kuntowijoyo then propose theocentric humanism instead of anthropocentric humanism to elevate the dignity of man. With this concept, people should focus on God, but the goal is for the benefit of man (humanity) itself. The development of human civilization is no longer measured by rationality but transcendence.

Humanization is necessary because people are in three acute states of the dehumanization (objectivity technological, economical, cultural, and state), aggressiveness (collective aggressiveness and criminality) and loneliness (privatization, individuation).

#### **b. Liberation**

Prophetic liberation is in harmony with the principles of socialism (marxism, communism, dependency theory, liberation theology). It's just not going to make its Prophetic liberation as an ideology as communism. Liberation in the Prophetic is in the context of science, the science that is based on noble transcendental values and free from material values. If the liberation values in liberation theology is understood in the context of theological doctrine, then the liberation values in the Prophetic Science in understood and set in the context of science which have prophetic responsibility to liberate man from the cruelty of poverty, exploitation abundance, dominance and hegemony



of oppressive structures of consciousness false. Furthermore, if marxism with its liberation reject religious fervor considered conservative, Science Prophetic liberation spirit actually looks back on the values of the transcendental prophetic religion that has been transformed into an objective science-factual.

Liberation shooting is on empirical reality, so that liberation is very sensitive to the issue of structural oppression or domination. The phenomenon of poverty born of economic inequality is an important part of the liberation project. Liberation does not put themselves in the field of humanitarian abstract morality, but on empirical human reality, which is concrete. Kuntowijoyo even considers that avoidance of the concrete to the abstract is one of the characteristics of thinking based on myth.

Kuntowijoyo liberation outlines four objectives, namely knowledge systems, social systems, economic systems and political systems that shackle people that cannot actualize themselves as being independent and noble.

### c. Transcendence

Transcendence is the basic of the other two elements. Transcendence was about to make the transcendental values (faith) as an important part of the process of building a civilization. Transcendence put religion (Islamic values) in a very central position in science.

Negative excesses brought by modernization led the desire to recapture the alternatives offered by religion to solve the problems of humanity. Humans as the product of Renaissance are anthropocentric humans who feel that they were the center of the world, satisfied with himself. Through rationalization projects, human self-proclaimed himself as the ruler and the universe. Ratio taught how to think instead of how to live. Ratio instead of creating awareness tools, teaches humans how to handle life, not interpret it. Finally the man live his life without meaning

This is where transcendence can play an important role in giving meaning to direct the goal of human life. Islam can bring to the world which is dying, not because of lack of tools or techniques, but because of lack of intent, the meaning of the public who want to realize God's plan. This transcendental values divinity will guide humans towards the noble values of humanity.

Transcendence is the basis of humanization and liberation. Transcendence gives direction on where and what purpose is humanization and liberation for. Transcendence in the Prophetic, besides serving as a basis for the practical value of humanization and

liberation, it also serves as a critique. With transcendence critics, technical progress can be directed to serve the humanity and human development, rather than its destruction. Through the critique of transcendence, people will be freed from the materialistic consciousness-in which a person's economic position determines their consciousness-towards transcendental consciousness. Transcendence will be the benchmark of human progress and setbacks.

### E. Toward Prophetic Woman Movement

In fact, Islam appreciates women's movement (feminism), both as a social theory as well as the ideology of women's resistance. The term 'prophetic' initiated by Kuntowijoyo, is able to direct the theories of feminism in the appropriate<sup>8</sup> direction, non anomalies such as modernity and capitalism.

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<sup>8</sup> Appropriation is contrasted with the reception. Reception implies passive acceptance while active appropriation acceptance indicates character that requires an explanation which is not demanded by the act of reception. Appropriative includes at least three basic meanings: **First**, understanding the dynamic, not static toward reality, thought and society. Although some of the community surface appears to be still, but at the depth, there is a change in the capacity of the community itself as the existence of life which submits to law (sunnah at-taghyir)

This expression makes each community has its own characteristics and every period of history which it passes has unique characteristics as well. The consequences should be stated that the past of a society can be understood, interpreted, absorbed, and repeated. It is also must be said that the thought of a public realm is part of the ontological structure but can not be used as a standard pattern for the future, especially for the community or other society. **Second**, the development of society occurs in cycles, circular and in circular motions. In each period passed through, new creations are required. Because all the people will go forward with strength (does not mean violence), though sometimes, they are stopped due to weakness and deterioration experienced. Correction action against experimentation and success defining process that has been achieved will make society better to understand, leave their past and build a better future. Society will advance in the level of past history to the future.

**Third**, the development of society will be achieved under the auspices of social laws. So, do not expect the shuffling up and wait for a miracle or coincidence. This means that the fluctuating motion must be understood as something that can be understood and controlled, not something that is not affordable and uncontrolled. History of progress will be created by man when he notices the special characteristics of everything around. All the destruction in history is essentially the result of human destruction within. See also "The idea of Appropriative Islam" in Ash-Syir'ah, Vol.44, No.II, 2010.

Modernity confronts movements which raise women's equality. The existence of modernity regimes backed by the globalization of modernity consciously or unconsciously reduces the bargaining power of feminist women upon preferences which are expected. Destroying the power of this regime is that the feminists have always wanted to do, but they always fail because the regime construction is growing stronger. Modernity even reduces feminist space in organizing women's strength and awareness, many women are actually trapped in the circle game of modernity which was born from the womb of globalization. Practices that often arise are the massive exploitation of women for capital backers of rulers' class.

Except that one, women's movement which is very heroic condemned the "social capitalism fascism". However, it did not try to see further afield of the cause which encourages capitalism to do evil toward women's. Verily, there is an epistemological problem concerning repetitive knowledge reproduction which puts women as a commodity of capitalism. This reproduction finally gave rise to conviction that this is how woman supposed to be looked. There is no serious efforts to seek new knowledge as the way out of the pent and the hegemony of capitalism.

In this case, Islam, through the Qur'an normativity constantly talks about humans. It discusses about human life which is not just a ritual relationship with Allah, but how people live their social activities which always frees the shackles of material. Therefore, human being is really a human being. Prophet Muhammad is a true feminist who removes snares on arbitrariness of Arab women at that time. They practiced girls' burial and women slavery. So evil is a historical tradition of ignorance. Women were considered as a burden for life. So, with this prophetic feminism, women can use the logic of Qur'an history. This can be used as an answer to the challenges of the times and humanization. Qur'an gives ways for women to get out of the oppressive social system with a commitment to remain in the fight. They should struggle to free themselves from the hegemony of the system, culture, and knowledge that was transformed into a historical colonialism engine.

## **F. Concluding Remarks**

The action or women's movement for equality is not a new issue in Islam. It has been there ever since Islam was born on earth. It even exists as another mainstream in Islamic teachings besides faith. What makes it different is that the advocacy movement must be based on the prophetic spirit. As the movement meets the spirit of humanization,

liberation, and transcendence, there is no reason to reject it. But if it is on the contrary, there is no reason to accept it. Dichotomy of conservatism and liberalism in the women's movement emerged and actually started from the three missing things within the prophetic framework.[]

### DAFTAR PUSTAKA

Al Quran al Karim

Ash-Syir'ah, Vol. 44, No. II, 2010.

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